

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

| | | |
|--------------------------|---|-----------|
| FRANK MENSAH, |) | |
| |) | ORDER |
| Plaintiff, |) | |
| |) | |
| vs. |) | 8:03CV80 |
| |) | |
| RENT-A-CENTER, INC., |) | |
| |) | |
| Defendant. |) | |
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| TAJI GLASS, |) | |
| JOHN DOES and JANE DOES, |) | |
| |) | |
| Plaintiffs, |) | 8:04CV199 |
| |) | |
| vs. |) | |
| |) | |
| RENT A CENTER, |) | |
| |) | |
| Defendant. |) | |

This matter is before the court on the Joint Motion to Quash or for Protective Order (Filing No. 118 in case No. 8:03CV80) by plaintiff Frank Mensah, attorneys Dan Welch and Dan Allen, and the Welch Law Firm, P.C. Based upon a telephone conference with all counsel on the joint motion, and after hearing all arguments, the court finds the joint motion should be denied because any attorney-client privilege was waived by Frank Mensah during his deposition. Further, Frank Mensah listed attorney Paul Allen as a witness thereby subjecting Paul Allen to being deposed by defendant.

Accordingly both attorneys, Welch and Allen, may testify under the Code of Professional Responsibility.

Upon consideration,

IT IS ORDERED:

The Joint Motion to Quash or for Protective Order (Filing No. 118 in case No. 8:03CV80) by plaintiff Frank Mensah, attorneys Dan Welch and Dan Allen, and the Welch Law Firm, P.C. is denied.

DATED this 24th day of August, 2005.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge